

**COMMERCIAL REAL PROPERTY  
SELLER'S PROPERTY CONDITION DISCLOSURES**

**SELLER'S AGENT – Complete only the following section**

The "Seller": \_\_\_\_\_  
*If the Property's owner of record is a business entity, please list the name of the business entity.*

The "Signer": \_\_\_\_\_ Title: \_\_\_\_\_  
*Printed full name of business entity representative. Full business title of entity representative.*

The "Property": \_\_\_\_\_  
\_\_\_\_\_

The "Seller's Brokerage": \_\_\_\_\_

**NOTICE FROM THE SELLER'S BROKERAGE**

The Buyer and the Seller are advised that the Seller's Brokerage and its agents are trained in the marketing of real estate. Neither the Seller's Brokerage nor its agents are trained or licensed to provide the Buyer or the Seller with professional advice regarding the physical condition of the Property, legal compliance of the Property, or any tax matters. **The Seller's Brokerage and its agents strongly recommend that in connection with any offer to purchase the Property, the Buyer and the Seller obtain the professional services of any legal or tax advisors, property inspectors, surveyors, and any other professionals necessary to satisfy the Buyer and the Seller as to the condition of the Property.** Neither the Seller's Brokerage nor its agents make any representations or warranties regarding the physical or legal condition of the Property through this disclosure. Accordingly, the Buyer and the Seller are advised not to rely on the Seller's Brokerage, or its agents, for a determination regarding the physical or legal condition of the Property.

**INSTRUCTIONS TO SELLER**

Seller's diligence in reviewing and providing detailed disclosure of relevant information on this form will help reduce the risk of litigation and liability after Closing. This form is intended to assist the Seller in making Seller's disclosure.

**The Seller is obligated under law to disclose to the Buyer any material defects actually known to the Seller that adversely affect the use or value of the Property.** All disclosures made herein are made based upon the knowledge of

\_\_\_\_\_ (name), the \_\_\_\_\_  
(title) of the Property (herein, "Knowledge"). The Buyer will rely on the information provided herein to determine whether to purchase the Property. The Seller is not required to conduct new investigations in order to answer any of the following questions, and is not required to answer any questions not required to be answered under the purchase and sale agreement or pursuant to applicable law. Accordingly, if any question is unclear, or if the Seller is unsure how to respond to a question, the Seller should seek the advice of legal advisor if Seller is concerned about the correct response.

In the blank space provided at the end of this Disclosure, please provide a description of any defect or condition in the Property not previously disclosed to Buyer in writing of which the Seller has knowledge; that would not be apparent to ordinary persons without specialized knowledge in construction or real estate; and that would influence the decision of a person of ordinary intelligence to purchase the Property. When describing any past or present problems, malfunctions, or defects, please include the location of the problem, date, nature of the problem, and any actions taken to remedy the problem. Mark N/A if a question does not apply to the property.



	YES*	NO	N/A
* If Yes, please explain the nature, location, extent, names, dates, etc., as applicable. Please attach additional pages as needed.			
<b>1. INSPECTIONS AND REPORTS</b>			
a. Do you know of any inspections or reports done by independent experts prior to or during your ownership of the Property (such as geotechnical, environmental, survey, roof, mechanical, fire)? Please list and provide dates and subject matter.			
<b>2. ROOF</b>			
a. Do you know of any past or present roof leaks? If so, please describe nature and location of such leaks.			
b. Other than roof leaks, do you know of any past or present problems or defects with the roof (such as structural, damages, etc.)?			
c. Do you know the approximate date of any roof inspections? If so, when?			
d. Do you know if there is a roof guarantee or warranty presently in place on the roof? If so, please attach hereto copies of any guarantees or warranties in your possession.			
<b>3. STRUCTURES &amp; EQUIPMENT</b>			
a. Do you know of any problems with, or damage or defects to the foundation or walls of the Property (such as cracks, settling, sliding, heaving, etc.)?			
b. Do you know of any structural or other problems with exterior materials and structures, including but not limited to any parking lot?			
c. Do you know of any past or present problems with any of the operating equipment and/or systems (such as fire sprinkling system, heating, air-conditioning, intercom, media system, security system, smoke alarm, water heater, attic vent fans, insulation, or propane tanks)?			
d. Do you know of any past or present problems located on the Property (such as grass sprinkler system, rain gutters, driveways or parking areas)?			
e. Do you know of any past or present problems with any equipment located on the interior of any building or similar structure located on the Property (such as ceiling fans, elevator, flooring, skylights, or other fixtures)?			
f. Do you know of any improvements made on the Property without required government approvals (such as certificates of occupancy, four-way inspections, building permits)?			
<b>4. UTILITIES, PLUMBING, &amp; DRAINAGE</b>			
a. Do you know of any past or present problems with utility service to the Property or with any of the utility service systems (such as water, gas, electrical, plumbing, sewer, telephone reception, etc.)?			
b. Do you know of drainage problems or standing water at any time of the year on the Property?			
c. Do you know if the Property is connected to the public sewer?			
<b>5. WATER</b>			
a. Do you know what the source of the culinary (and secondary, if not the same) water is to the Property? (Such as well, spring, private, municipal)			
b. Do you know if the water quality and/or flow rate been tested? If so, when and what were the results?			
c. Do you know of any past or present problems with any water service provided to the Property by the water service provider?			



d. Do you know if a well is presently located on the Property? If so, do you know what is the water right number for the well?			
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	YES*	NO	N/A
* If Yes, please explain the nature, location, extent, names, dates, etc., as applicable. Please attach additional pages as needed.			
<b>6. ENVIRONMENTAL &amp; SOILS</b>			
a. Do you know if this site does now or ever did contain tanks or other hazardous materials buried underground? If so, please detail (such as what it was, when it was tested, when it was removed).			
b. Do you know if there have been any hazardous materials released in the soil or groundwater or other contamination on the Property, or adjacent properties? If so, please detail.			
c. Do you know of any past or current soil problems (such as collapsible or expansive soils, slides or soil instability, etc.), in this Property or neighboring properties?			
d. Do you know if the Property is affected by any Air Quality Board Regulations and, if so, how?			
e. Do you know of there is now, or ever has been any asbestos containing materials on the Property (such as floor tiles, pipe insulation, acoustic ceilings)?			
f. Do you know of any past or present infestation problems with the Property (such as termites, dry rot, mold, rodents, or pests on or affecting the Property)?			
g. Do you know if there are any wetlands located on the Property?			
h. Do you know if there have been remediation efforts undertaken with respect to any of the above-mentioned environmental, soil, or other conditions listed herein? If so, please detail.			
i. Do you know if the Property has a monitoring well? If so, who is responsible for paying for monitoring well testing? When was the monitoring well last tested, and by whom was it tested?			
<b>7. CURRENT ISSUES AFFECTING PROPERTY</b>			
a. Do you know of any pending governmental actions having an impact on the Property? If so, please detail.			
b. Do you know if the Property is located in any special service or improvement districts, or assessment areas?			
c. Do you know of any existing or threatened proceedings, (such as condemnation proceedings, proceedings relating to parking, access or adjacent roads, etc.), that might affect the Property?			
d. Do you know if there is any existing or threatened litigation affecting the Property? Are there any past or present violations of law or regulation, or of restrictive covenants relating to the Property?			
e. Do you know if the current use of the Property is in compliance with zoning requirements or permit conditions?			
f. Do you know if the Property is in conflict with current ADA or other similar handicap code requirements?			
<b>8. BOUNDARIES &amp; COVENANTS</b>			
a. Do you know if there are any improvements on the Property which encroach onto any adjoining properties, or any improvements on adjoining properties which encroaches onto the Property?			
b. Do you know if there are any unrecorded easements affecting the Property?			



<b>c.</b> Do you know if there are any disputes relating to such encroachments or easements?			
<b>d.</b> Do you know if the Property is subject to any restrictions (such as Declarants, restrictive covenants or CC&Rs)?			

	YES*	NO	N/A
* If Yes, please explain the nature, location, extent, names, dates, etc., as applicable. Please attach additional pages as needed.			
<b>e.</b> Do you know if there are any assessment levied against the Property (such as HOA or agricultural assessments, Special Improvement Districts, etc.)?			
<b>f.</b> Do you know if any such assessments are past due? If so, please detail.			
<b>9. LEASES &amp; PROPERTY MANAGEMENT</b>			
<b>a.</b> Do you know if there are lease agreements currently affecting the Property?			
<b>b.</b> Do you know if there are property management agreements currently affecting the Property?			

The information contained herein is provided by the undersigned for distribution to prospective buyers. Seller(s) understand that real estate agents and their buyers will rely upon the accuracy of this information. Based on Seller's actual knowledge this information is correct and complete. Broker is authorized to deliver copies of this form to prospective buyers and their agents.

\_\_\_\_\_  
Seller

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller

\_\_\_\_\_  
Date

Buyer(s) acknowledge that they have read and received a copy of the foregoing statement. Buyer(s) further acknowledge that no representations have been made to Buyer(s) by Seller or the real estate agents regarding the condition of the Property except as set forth in this statement and the Purchase Agreement.

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Date



